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January 15, 2002

Ms. Gloria Blue  
Executive Secretary  
Trade Policy Staff Committee  
Office of the United States Trade Representative.  
600 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20508

**Re: Response in Connection with Inv. No. TA-201-73 (Certain Steel Products)**

Dear Madam Secretary:

On behalf of the TUBEUROP and the European Steel Tube Association ("ESTA"), enclosed please find the response to comments regarding the actions that President should take in connection with the above-referenced investigation. These comments are filed pursuant to the United States Trade Representative's October 26,

2001 Notice in the Federal Register (66 Fed. Reg. 54321) and December 28, 2001 Notice in the Federal Register (66 Fed. Reg. 67349).

ESTA and Tubeurop believe that any action taken by the President with regard to welded tubular products other than OCTG (covered by product groupings in the ITC's Category 20) should exclude the following:

Welded, elliptically-shaped structural tubing of carbon or alloy steel, meeting ASTM A501 ("Standard Specification for Hot-Formed Welded Carbon Steel Structural Tubing"), Chapter 10, points 10.4 ("special shape structural tubing") and 10.5 ("other sizes"), classifiable in HTSUS 7306.6010 and 7306.6050.

As this is the last scheduled opportunity for comments in the above-referenced case, ESTA and TUBEUROP would like to point out that, to date, no domestic producer has objected to this exclusion request. Requests for exclusion of these products have been reiterated in numerous filings with the International Trade Commission and the United States Trade Representative. Despite numerous opportunities to object, ESTA and TUBEUROP are unaware of any objection being filed by any party with regard to this exclusion request.

Elliptical structural tubing was recently developed by TUBEUROP to serve a specialized architectural application. **These products have never been made or sold in the United States.** TUBEUROP has only recently developed and qualified this product for use in architectural design, and has only recently offered the product for export to the United States for domestic construction projects. At this stage, it is not even possible to project the level of potential demand. TUBEUROP continues to contend that elliptical structural tubing, which has not been manufactured, imported, or apparently even utilized in the United States in the past, should be excluded from any remedy. Since its very application is based primarily on design aesthetics, there is no substitute product, other

than structural elements which serve similar mechanical requirements, but lack the architectural or design appeal. Inclusion of such products in any Section 201 remedy would also potentially stifle the development of a new market for specially designed products, precluding the possibility that such an outlet might be developed by domestic producers who might eventually benefit from new market demand.

Given the apparent lack of objection by the domestic industry, the absence of any supporting rationale from the ITC, and for the reasons stated above, ESTA and TUBEUROP request that the President exclude “welded elliptical structural tubing” from any remedy imposed in this investigation.

Respectfully submitted,

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